

**REMARKS**

Claims 1-12 are pending.

On page 3 of the Office Action, claims 1-12 were rejected on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over claim 1 of U.S. Patent No. 6,866,964.

Without acquiescence in the merits of the rejection, to advance prosecution Applicants have submitted herewith a Terminal Disclaimer to obviate the rejection. In addition, Applicants submit that the filing of a terminal disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection.

Accordingly, withdrawal of the double patenting rejection and allowance of claims 1-12 is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

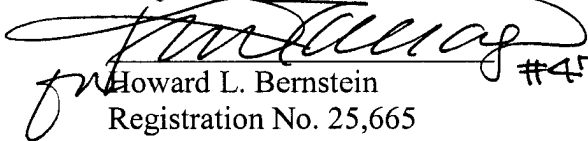
WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 14, 2007

Respectfully submitted,

  
Howard L. Bernstein #47,121  
Registration No. 25,665